RESPONSE UNDER 37 C.F.R. § 1.116 **EXPEDITED PROCEDURE - EXAMINING GROUP 3623**

S Docket No. 9407-26/JP920010225US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Corres, and Mail

In re: Kouno et al. Application No: 10/802,459 Confirmation No.: 3997 Examiner: Scott L. Jarrett

Filed: March 17, 2004

Group Art Unit: 3623

For:

COMMODITY SALES NUMBER FORECASTING SYSTEM AND METHOD,

COMPUTER PROGRAM PRODUCT AND STORAGE MEDIUM

Date: February 8, 2006

2313-1450 on February 8, 2006.

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Certificate of Mailing under 37 CFR § 1.8 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA

NOTICE OF APPEAL TO THE **BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicants in the aboveidentified patent application hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action dated November 8, 2005 and the Advisory Action dated January 30, 2006 at least twice rejecting or finally rejecting Claims 1 - 16.

X The Commissioner is authorized to charge IBM Deposit Account No. 09-0457 in the amount of \$500.00 for the Appeal fee as provided by 37 C.F.R. § 1.17(b).

冈 Also enclosed: Pre-Appeal Brief Request for Review; Reasons in Support of Applicant's Pre-Appeal Brief Request for Review.

 \boxtimes The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayments, to IBM Deposit Account No. 09-0457.

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Respectfully submitted,

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